

STEVEN MYHRE
Acting United States Attorney
SHANNON M. BRYANT (SBN # 6917)
Assistant United States Attorney
100 West Liberty Street, Suite 600
Reno, NV 89501
Shannon.Bryant@usdoj.gov
(775) 784-5438
Attorneys for United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JULIUS STEPHEN GARCIA-FLORO,

Defendant.

Case No. 3:16-CR-0057-MMD-WGC

STIPULATION FOR DISCOVERY
PROTECTIVE ORDER

The United States of America, by and through its attorneys, STEVEN MYHRE, Acting United States Attorney for the District of Nevada, and SHANNON M. BRYANT, Assistant United States Attorney, and JULIUS STEPHEN GARCIA-FLORO, Defendant, by and through his counsel, LAUREN D. GORMAN, Assistant Federal Public Defender, hereby submit this Stipulation for a Discovery Protective Order to prevent dissemination and disclosure of the discovery materials in this case to persons other than Court personnel, the parties to this action and their respective counsel.

The parties enter into this Stipulation for the following reasons:

1. This case started with a multi-agency investigation that involved other nations including, but not limited to, the United States.

///

2. The United States and foreign law enforcement agencies have ongoing operations and investigations into individuals identified in the course of the investigation.

3. Defense counsel seeks disclosure of documents currently in possession of Government's counsel that pertain to the international investigation, and Government's counsel intends to produce said documents pursuant to her request.

4. Permitting the unfettered disclosure of these materials may irreparably harm the investigative efforts of law enforcement agents of the United States and other nations.

5. A protective order will serve to prevent the unfettered disclosure of the documents and, therefore, prevent the identified irreparable harm.

Dated the 17th day of March, 2017.

STEVEN MYHRE
Acting United States Attorney

/s/ Shannon M. Bryant
SHANNON M. BRYANT
Assistant United States Attorney

/s/ Lauren D. Gorman
LAUREN D. GORMAN
Assistant Federal Public Defender

* * *

PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant JULIUS STEPHEN GARCIA-FLORO, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. This Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in discovery in the above captioned case.

///

2. The United States will make available copies of discovery materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the discovery materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team).

3. The attorneys of record and members of the defense team may display and review the discovery materials with the Defendant. The attorneys of record and members of the defense team acknowledge that providing copies of the discovery materials to the Defendant and other persons is prohibited, and agree not to duplicate or provide copies of discovery materials to the Defendant and other persons.

4. The United States Attorney's Office for the District of Nevada is similarly allowed to display and review the discovery materials to lay witnesses, but is otherwise prohibited from providing copies of the discovery materials to lay witnesses, i.e. non-law enforcement witnesses.

5. Nothing in this order should be construed as imposing any discovery obligations on the government or the defendant that are different from those imposed by case law and/or Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules. *See* LR IA 10-5.

6. Any discovery material that is filed with the Court in connection with pre-trial motions, trial, sentencing, or other matters before this Court, shall be filed under seal and shall remain sealed until otherwise ordered by this Court. This does not entitle either party to seal their filings as a matter of course. The parties are required to comply in all respects to the relevant local and federal rules of criminal procedure pertaining to the sealing of court documents.

7. The provisions of this Order shall not terminate at the conclusion of this prosecution.

8. Any violation of any term or condition of this Order by the Defendant, the Defendant's attorney(s) of record, any member of the defense team, or any attorney for the United States

1 Attorney's Office for the District of Nevada, may be held in contempt of court, and/or may be
2 subject to monetary or other sanctions as deemed appropriate by this Court.

3 9. Any discovery materials provided pursuant to this Order shall be returned to the United
4 States Attorney's Office, including all copies, within ten days of the completion of the case before
5 the Court or, if an appeal is taken, within ten days of the completion of the case in the United
6 States Court of Appeals for the Ninth Circuit or Supreme Court of the United States.

7 If the Defendant violates any term or condition of this Order, the United States reserves
8 its right to seek a sentencing enhancement for obstruction of justice, or to file any criminal charges
9 relating to the Defendant's violation.

10 DATED: March 20, 2017.

11
12 

13

UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24